



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAFAEL PERAL,

Plaintiff,

-against-

BRITTGAB CORP., et al.,

Defendants.

21-CV-1892 (RA) (BCM)

**ORDER SETTING BRIEFING
SCHEDULE, SCHEDULING
EVIDENTIARY HEARING, AND
STAYING PROCEEDINGS**

BARBARA MOSES, United States Magistrate Judge.

For the reasons stated on the record during today's telephonic conference, it is hereby
ORDERED that:

1. Defendants' Video Recording. Defendants shall promptly produce an electronic copy of the video recording referenced in plaintiff's letter dated July 19, 2021 (Dkt. No. 53), via email to plaintiff's counsel and the Court (Moses_NYSDChambers@nysd.uscourts.gov).
2. Other Sanctions-Related Discovery. Plaintiff's request that defendants' counsel "produce a list of all wage and hour mediations that he participated in the past 5 years so that [plaintiff's counsel] may interview the participants" (Dkt. No. 53) is DENIED.
3. Supplemental Sanctions Briefs. No later than **July 23, 2021**, plaintiff shall file a brief (which may take the form of a letter-brief) limited to the question of this Court's jurisdiction and authority to issue sanctions as requested in plaintiff's letter-motion dated July 9, 2021 (Dkt. No. 45). Defendants shall file their response no later than **July 30, 2021**. Should plaintiff wish to file a reply, he shall so request promptly after receipt of defendants' responding papers.
4. Evidentiary Hearing. The Court will conduct an evidentiary hearing with respect to the sanctions motion on **August 23, 2021, at 10:00 a.m.** in Courtroom 20A of the Daniel Patrick Moynihan Courthouse. The witnesses shall be plaintiff Peral, attorney Lee, defendant Weiser, and attorney Weiser, and the scope of the hearing shall be limited to their personal interactions on July 13, 2021. Plaintiff must arrange for the personal attendance of a simultaneous Spanish translator. If as a result of the supplemental sanctions briefs or otherwise the Court determines that no evidentiary hearing is required, the Court will so notify the parties.
5. Stay. This action is hereby **STAYED**, through and including **August 30, 2021**, for all purposes other than plaintiff's pending motion for sanctions. In light of the stay, plaintiff's response to defendants' motion to dismiss plaintiff's class and collective action claims (Dkt. No. 54) is due **August 31, 2021**. Further briefing with respect to plaintiff's motion for conditional certification of an FLSA

collective (Dkt. No. 43) is SUSPENDED pending the Court's resolution of defendants' motion to dismiss.

The Clerk of Court is respectfully directed to close the letter-motion at Dkt. No. 57.

Dated: New York, New York
July 20, 2021

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge